

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA**

LINDA CODY,

Plaintiff,

v.

ALCON VISION, LLC, et al.,

Defendants.

)
)
)
)
)
)
)
)
)
)

Case No. CIV-24-1020-R

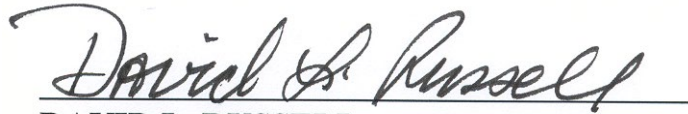
ORDER

On October 24, 2024, the Court ordered Plaintiff to enter her appearance pro se or through new counsel by December 20, 2024 [Doc. No. 23]. The Court also warned Plaintiff that a failure to enter an appearance or timely respond to Defendants' pending motion to dismiss would result in dismissal of this action. To date, Plaintiff has not complied with the Court's Order to enter her appearance and has not responded to Defendants' motion to dismiss.

Accordingly, this action is DISMISSED without prejudice to refile for failure to comply with the Court's Order and failure to prosecute. *See Olsen v. Mapes*, 333 F.3d 1199, 1204 & n.3 (10th Cir. 2003) (noting that district courts may "dismiss actions sua sponte for a plaintiff's failure to prosecute or comply with the rules of civil procedure or court's orders). Because the dismissal is without prejudice, the Court need not consider the factors outlined in *Ehrenhaus v. Reynolds*, 965 F.2d 916, 921 (10th Cir. 1992) or follow any particular procedures. *See Nasious v. Two Unknown B.I.C.E. Agents, Arapahoe Cnty.*

Justice, 492 F.3d 1158, 1162 (10th Cir. 2007); *Arocho v. United States*, 502 F. App'x 730, 732 (10th Cir. 2012).

IT IS SO ORDERED this 30th day of December, 2024.



DAVID L. RUSSELL
UNITED STATES DISTRICT JUDGE